IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24174 of 2004

Between:

K.Hari Singh, S/o.Ram Singh,
Ramayanapet Mandal, Medak District.

..... PETITIONER

AND

1 The Superintendent of Police Medak District at Sangareddy, Medak Dist.
2 the Station House Officer, Ramayanpet Police Station, Ramayanpet, Medak District.
3 The Station House Officer, Shankarampet, Police Station, Medak District.

...RESPONDENTS

Petition filed under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring that the action of the respondents 2 and 3 in interfering with the enjoyment of peaceful life and harassing the petitioner by repeating visits and threatening that they will implicate in false case as illegal, arbitrary, unjust and unreasonable and violative of principles of natural justice and contrary to Art 19 (d) and 21 of the constitution of India and consequently direct the respondents not to harass the petitioner and threaten further for false implication and pass such other order or orders.

Counsel for the Petitioner:MR.GANGULA ASHOK KUMAR REDDY

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

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O R D E R:

The petitioner alleges that the respondents are calling him to the police station and detaining for hours together, without there being any specific complaint and without registering any case. He seeks appropriate directions to the respondents not to harass him, or otherwise interfere with his rights.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

Whenever a complaint is submitted by an individual, the police are entitled to require the persons, against whom the acts or omissions alleged, to attend the police station and to undertake investigation. However, before taking further steps, it is necessary that a case be registered. Unless a case is registered, the police cannot require individuals to attend the police stations, of course, except for the preliminary verification before such registration. If no case has been registered against the petitioner, the respondents shall not be entitled to insist on the attendance of the petitioner.

Hence, the writ petition is disposed of, directing that the respondents shall not require the petitioner to attend the police station, or otherwise interfere with his rights, except where a specific complaint is received, and a case is registered under the relevant provisions of law. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.30-12-2004

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To

1 The Superintendent of Police Medak District at Sangareddy, Medak Dist.
2 The Station House Officer, Ramayanpet Police Station, Ramayanpet,

Medak District.
3 The Station House Officer, Shankarampet, Police Station, Medak District.

4. 2 CCs to G.P. for Home, High Court of A.P., High Court Buildigns, Hyderabad (OUT).

5. 2 C.D. copies.